GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1251
ANSWERED ON:03.03.2016
Mechanism to Deal with Complaints against Judges
Patole Shri Nanabhau Falgunrao;Pradhan Shri Nagendra Kumar;Raut Shri Vinayak Bhaurao;Shewale Shri Rahul Ramesh;Shinde Dr. Shrikant Eknath

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government proposes to bring any legislation to replace the present system of dealing with complaints against Judges of Supreme Court and High Court and to ensure Judicial Accountability;

(b) if so, the details and the present status thereof;

(c) the time by which a final decision is likely to be taken in this regard;

(d) the details of mechanism being followed to deal with the complaints against judges; and

(e) the number of such complaints received during each of the last three years and the current year along with the action taken thereon?

Answer

ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI D.V. SADANANDA GOWDA)

(a) to (e): As per the existing "in-house mechanism" for dealing with the complaints against the higher judiciary, the Chief Justice of India is competent to receive complaints against the conduct of the Judges of the Supreme Court and the Chief Justices of the High Courts. Similarly, the Chief Justices of the High Courts are competent to receive complaints against the conduct of judges of the High Courts. The complaints received by the Government are being forwarded to the Supreme Court or the concerned High Court, as the case may be, for action as deemed appropriate. The Central Government has no mechanism to address such complaints and as such, no data in this regard is maintained.

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To change the existing system for investigation into the complaints of misbehaviour or incapacity of Judges of the Supreme Court or High Courts and to enforce greater accountability, a Bill titled "The Judicial Standards and Accountability Bill" was moved by the Government in the previous Lok Sabha. However, the Bill lapsed with the dissolution of 15th Lok Sabha.